

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA, <div style="text-align: center;">Plaintiff,</div> <div style="text-align: center;">vs.</div> ANDREW NESPOR, <div style="text-align: center;">Defendant.</div>))))))))))	8:08CR57 ORDER
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This matter is before the court on the motion for an extension of time by defendant Andrew Nespor (Nespor) (Filing No. 11). Nespor seeks additional time in which to file pretrial motions. Nespor has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Nespor's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Defendant Nespor's motion for an extension of time (Filing No. 11) is granted. Nespor is given until **on or before May 12, 2008**, in which to file pretrial motions. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 15, 2008 and May 12, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

2. Trial of this matter scheduled for May 19, 2008, is continued *sine die* and will be rescheduled following the disposition of any pretrial motions.

DATED this 15th day of April, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge